

REMARKS

Claims 17-21 and 32-51 are pending in the application, of which Claims 20-21 and 35-36 have been withdrawn from consideration. Claims 17, 32, 37, 49 and 51 have been amended. Bases for the amendments can be found throughout the application, drawings and claims as originally filed and, as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 17-19, 32-34, 37-44, and 48-51 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Application No. 2002-17621 to Ito et al. ("Ito '17621"). This rejection is respectfully traversed.

Applicant notes that independent Claims 17, 32, 37, 49 and 51 have been amended to include a battery and to indicate that the impeller and motor assembly / motor is battery powered. Applicant notes that Ito '17621 is a corded vacuum and as such, Applicant submits that Ito '17621 cannot teach or suggest Claims 17, 32, 37, 49 and 51 as presently amended. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of Claims 17-19, 32-34, 37-44, and 48-51 under 35 U.S.C. § 102(b).

REJECTION UNDER 35 U.S.C. § 103

Claims 45-47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito '17621 in view of Japanese Patent Application No. 2002-136456 to Ito et al. ("Ito '136456"). This rejection is respectfully traversed.

Applicant notes Claims 45-47 depend from Claim 32 and that Claim 32 has been amended to include a battery and to indicate that the impeller and motor assembly / motor is

battery powered. Applicant notes that both Ito '17621 and Ito '136456 are corded vacuums and as such, Applicant submits that the combination of Ito '17621 and Ito '136456 cannot teach or suggest Claims 45-47. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of Claim 45-47 under 35 U.S.C. §103(a).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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